

REMARKS

In accordance with the foregoing, no claims have been amended, and no claims have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claim 1 is pending and under consideration. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. §103

In the Office Action, at page 2, claim 1 was rejected under 35 U.S.C. §103 in view of Atsushi Mochizuki et al., Japanese Application No. 10-257084 (Mochizuki). The rejection is traversed and reconsideration is requested.

Claim 1 recites inter alia:

a position controller which controls the lightpath changing
apparatus to change the lightpaths of the respective images;

The Office Action correlates the half mirror 10, shown in FIG. 1 of Mochizuki with the claimed "lightpath changing apparatus." However, the half mirror of Mochizuki is not controlled, or changed as it is a stationary half-mirror not connected to any moving pieces.

Likewise, the Office Action correlates the arithmetic processing unit 15 of Mochizuki with the claimed position controller. However, the arithmetic processing unit 15 supplies the drive signals that control the z and y-axis moving mechanisms of pickup system B, as described in para. [0011] of Mochizuki. Pickup system B comprises of several components, none of which include the half mirror 10. See para. [0011] of Mochizuki.

Further, claim 1 recites inter alia:

the lightpath changing apparatus operates in a manner of one of a
galvanometer mirror and a prism

The Office Action contends that the half mirror 10 of Mochizuki "operates in a manner of one of a galvanometer mirror and a prism," as in claim 1. However, Applicant respectfully submits that a stationary half mirror cannot operate in a manner of at least a galvanometer mirror because galvanometer mirrors feature movement of the mirror element by way of the galvanometer. Nowhere in Mochizuki is described a galvanometer that moves the half-mirror,

moreover, nowhere in Mochizuki is described that the half-mirror is moved at all, as it is a stationary mirror.

Moreover, Applicant respectfully submits that a stationary half mirror cannot operate in a manner of at least a prism because a prism, as is known in the art, *refracts* light whereas a half mirror *reflects* light. Further, nowhere in Mochizuki is described a prism used in a lightpath changing apparatus. Thus, the mirror of Mochizuki is not a prism.

Still further, the Office Action contends that the claimed "wherein the position controller moves the image displaying apparatus to a plurality of predetermined positions," is equivalent to moving the display apparatus to a plurality of predetermined positions, as described in Mochizuki because both perform the same function of displacing the image relative to the camera to achieve the same result of removing moiré. Thus, the Office Action contends that the Mochizuki reference obviates claim 1.

Applicant respectfully disagrees. Applicant submits first that the claimed "position controller moves the image displaying apparatus," is not equivalent to moving the display apparatus of Mochizuki because the lightpath features which are necessary to illuminate the image being photographed, must be changed to suit the different respective mechanisms in which the image is displaced relative to the camera.

Under the Office Action's proposed modification of Mochizuki, the half-mirror 10, being correlated to the claimed "lightpath changing apparatus," is still stationary and merely reflects light, thus still it does not function as a galvanometer mirror or a prism. Applicant thus submits that it would not be obvious to modify Mochizuki as proposed in the Office Action because it would at least also require changes in the lightpath features, an implicit requirement in any image processing system.

Therefore, Applicant submits that Mochizuki does not teach or suggest at least the abovementioned features of claim 1, and thus, claim 1 patentably distinguishes over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Michelle M. Koeth
Registration No. 60,707

1201 New York Avenue, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501